

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**LEROY WILLIAMS,**

**Plaintiff,**

**v.**

**STATE OF ALABAMA DEPT. OF  
TRANSPORTATION, et. al.**

**Defendant.**

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**Civil Action No.:  
2:06-cv-658-ID**

**PLAINTIFF'S EXHIBIT LIST FOR TRIAL**

**COMES NOW** the plaintiff in the above-styled cause and submits the following list of exhibits he expects to use at the trial of this matter:

1. Deposition transcript of Don Arkle, taken on May 15, 2007, including all exhibits;
2. Deposition transcript of Thomas Lewis, taken on May 14, 2007, including all exhibits;
3. Evaluations of Leroy Williams (Exhibit D to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
4. SPD Records of Leroy Williams (Exhibit E to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
5. Certificate of Eligibles Appointing Leroy Williams to Transportation Technologist Classification (Exhibit F to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
6. Request to Fill Transportation Technologist Position (Exhibit G to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
7. Transportation Technologist Appointments through December 31, 2005 (Exhibit H to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
8. SPD Records of African-American Transportation Technologists demoted during probation period (Exhibit I to Plaintiff's Evidentiary Submission in Response to

Defendant's Motion for Summary Judgment);

9. Certificate of Eligibles Appointing Channin Granthem (Caucasian) to Lewis' Transportation Technologist Position (Exhibit J to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
10. Design Bureau Organizational Charts (Exhibit K to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
11. SPD records of Granthem (Exhibit L to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
12. Memorandum from Tommy Lewis showing Williams' crew thought he was treated differently (Exhibit M to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
13. SPD Records of Tommy Lewis (Exhibit N to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
14. Tommy Lewis Out of Classification Assignment by William Adams (Exhibit O to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
15. Request to Fill Transportation Technologist Transportation Senior Position #2119200 showing vacancy of May 31, 2005 (Exhibit P to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
16. Persons Promoted Report for 2/16/06 to 3/15/06 (Exhibit Q to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
17. Certificate of Eligibles Appointing Tommy Lewis to Transportation Technologist effective 2/18/06 (Exhibit R to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
18. Transportation Technologist Senior exam scores showing Tommy Lewis scoring 160<sup>th</sup> out of the 161 candidates (Exhibit S to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
19. Selection Form for Tommy Lewis to Transportation Technologist Senior (Exhibit T to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
20. Tommy Lewis Structural Oral Interview Form (Exhibit U to Plaintiff's Evidentiary

Submission in Response to Defendant's Motion for Summary Judgment);

21. Lawrence Naro Brown Structural Oral Interview Form (Exhibit V to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
22. Lawrence Naro Brown Application (Exhibit W to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
23. *Reynolds* Consent Decree (Exhibit X to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
24. *Reynolds* Contempt Order (Doc No. 4284) (Exhibit Y to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
25. *Reynolds* Opinion dated April 13, 1998 (4 F.Supp.2d 1068) (Exhibit Z to Plaintiff's Evidentiary Submission in Response to Defendant's Motion for Summary Judgment);
26. Rules of the State Personnel Board State of Alabama;
27. Form 11-Seasonal Laborer dated 10/08/82 (Exhibit A to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
28. Application for Examination-Highway Maintenance Technician I (Exhibit B to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
29. Certificate of Eligibles (Exhibit C to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
30. Application for Examination-Highway Maintenance Technician II (Exhibit D to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
31. Form 4-Provisional Appointment-Engineering Assistant I (Exhibit E to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
32. Employee Performance Appraisal dated 2/14/97 (Exhibit F to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
33. Employee Performance Appraisal dated 2/13/98 (Exhibit G to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
34. Position Classification Questionnaire dated 11/26/01 (Exhibit H to Defendants'

- Evidentiary Submission in Support of Motion for Summary Judgment);
35. Complaint Form dated April 1997 (Exhibit I to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  36. Employee Performance Appraisal dated 2/19/02 (Exhibit J to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  37. Complaint Form dated 10/05/00 (Exhibit K to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  38. Letter dated 1/23/03 withdrawing Grievance No. 736 (Exhibit L to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  39. Attendance/Punctuality Guidelines dated 2/22/05 (Exhibit M to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  40. Letter dated 5/12/05 re appointment to Transportation Technologist (Exhibit N to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  41. Leroy Williams resume (Exhibit O to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  42. Position Classification Questionnaire dated 5/25/05 (Exhibit P to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  43. Reprimand for Repeated Tardiness dated 7/26/06 (Exhibit Q to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  44. Counseling Session Memorandum dated 7/28/05 (Exhibit R to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  45. Driving Time confirmation Memorandum dated 7/28/05 (Exhibit S to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  46. Reprimand for Insubordination dated 8/11/05 (Exhibit T to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  47. Recommendation for Discipline dated 8/15/05 (Exhibit U to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
  48. Memorandum to Don Arkle dated 8/19/05 (Exhibit V to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);

49. Memorandum to Ron Green dated 8/22/05 (Exhibit W to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
50. Letter to Williams dated 9/1/50 termination probation (Exhibit X to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
51. E.E.O.C. Charge of Discrimination (Exhibit Y to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
52. Complaint Form (Exhibit Z to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
53. State Personnel Announcement - Transportation Technologist;
54. Computer printouts of Training for employees (Exhibit BB to Defendants' Evidentiary Submission in Support of Motion for Summary Judgment);
55. MapQuest printout;
56. Employee Performance Appraisal for 3/1/04 to 3/1/05;
57. Form 40 dated 9/8/05;
58. Form 11 dated 9/27/05;
59. 2005 Calendar;
60. Design Bureau Organizational Charts;
61. Internal grievances filed by Leroy Williams;
62. Selection packet of Leroy Williams for Transportation Technologist;
63. Selection packet of Tommy Lewis for Transportation Technologist Sr.;
64. Selection packet for Channin Granthem for Transportation Technologist;
65. Any and all pleadings and/or documents responsive documents to Requests for Production to Defendants;
66. Charts, blowups and/or summaries of evidence;

67. Affidavit of Don Arkle (for impeachment purposes only);
68. Affidavit of William Adams (for impeachment purposes only);
69. Affidavit of Joe Jones (for impeachment purposes only);
70. Affidavit of Thomas Lewis (for impeachment purposes only);
71. Affidavit of Ron Green (for impeachment purposes only);
72. Affidavit of Joe E. Jones dated June 5, 2007 submitted with Defendants' Reply to Plaintiff's Response to Defendants' Motion for Summary Judgment (for impeachment purposes only);
73. Mapquest (Exhibit CC to Reply Brief of Defendants')
74. Certificate of Eligibles dated 1/19/06 (Exhibit AA to Plaintiff's Motion to Strike);
75. Memorandum to Ronald J. Green from Don T. Arkle dated September 8, 2005 (Exhibit BB to Plaintiff's Motion to Strike);
76. Position Classification Questionnaire (Form 40) for PCQ # 1736405 dated 9/08/05 (Exhibit CC to Plaintiff's Motion to Strike);
77. Position Classification Questionnaire (Form 40) for PCQ # 1736405 dated 6/22/04 (Exhibit DD to Plaintiff's Motion to Strike);
78. Master Activity Log Records for Willie Joe Primus (Exhibit EE to Plaintiff's Motion to Strike);
79. Orders and Opinions entered by the Court in *Reynolds v. Alabama Department of Transportation* CV 85 T-665 N
80. Order entered in *U.S. v. Frazier*, 317 F. Supp. 1079 (M. D. Ala.), *aff'd*, 493 F.2d 614 (5<sup>th</sup> Cir. 1974);
81. Order entered in *U.S. v. Frazier*, 1976 WL 729 (M.D. Ala. 1976);
82. *Reynolds* Doc. no. 553 (Consent Decree);
83. *Reynolds* Doc. no. 4147 (Stipulations);
84. *Reynolds* Doc. no. 4247 (Agreement on Remedies for Contempt);

85. *Reynolds* Doc. no. 4284 (January 31, 2000 Contempt Order);
86. *Reynolds* Doc. no. 4700 (Settlement Agreement);
87. *Reynolds* Doc. no. 5228 (Amendment to Settlement Agreement);
88. Pleadings filed by the Adams Intervenors in *Reynolds v. Alabama Department of Transportation* CV 85 T-665 N;
89. *Reynolds* Doc. no. 5234 (Order Approving Revised Settlement);
90. *Reynolds* Doc. no. 7587 (Order of December 13, 2004 on Art 16);
91. *Reynolds* Doc. no. 7592 (Order of December 15, 2004 on Art. 16);
92. Monthly and Quarterly Reports, including any exhibits, attachments or appendices, submitted by the Alabama Department of Transportation in *Reynolds v. Alabama Department of Transportation* CV 85 T-665 N;
93. Monthly and Quarterly Reports, including any exhibits, attachments or appendices, submitted by the State Personnel Department in *Reynolds v. Alabama Department of Transportation* CV 85 T-665 N;
94. Depositions of Don Arkle taken in *Reynolds v. Alabama Department of Transportation* CV 85 T-665 N;
95. Depositions of Ron Green taken in *Reynolds v. Alabama Department of Transportation* CV 85 T-665 N;
96. Testimony of Don Arkle given in *Reynolds v. Alabama Department of Transportation* CV 85 T-665 N;
97. Testimony of Ron Green given in *Reynolds v. Alabama Department of Transportation* CV 85 T-665 N;
98. Depositions of Ron Green taken in *Deyampert and Brown v. Alabama Department of Transportation* CV 03-C-3132-W;
99. Judgment entered in *Deyampert and Brown v. Alabama Department of Transportation* CV 03-C-3132-W;
100. Deposition of Ron Green taken in *Turner v. Alabama Department of*

*Transportation;*

101. Judgment entered in *Cabbil v. Alabama Department of Transportation*, 2:05-cv-513-T;
102. Depositions of Ron Green taken in *Deyampert and Brown v. Alabama Department of Transportation* CV 03-C-3132-W;
103. Rosalyn Larkin Memorandum dated March 16, 1984;
104. Rosalyn Larkin Memorandum dated November 3, 1978;
105. Charts and graphs reflecting the racial composition of ALDOT job classifications for various time periods;
106. Extracts of records from the SPD database provided by defendants to plaintiffs' counsel;
107. Plaintiff reserves the right to use any exhibits listed on defendant's exhibit list;
108. Plaintiff reserves the right to supplement this Exhibit List as information becomes known;
109. Plaintiff reserves the right to use documents necessary for rebuttal and/or impeachment;
110. Plaintiff reserves the right to use documents not listed herein for the purpose of impeachment and/or rebuttal.

The listing of any document on this exhibit list does not waive the plaintiff's right to object to the admissibility of any document if offered by the defendants.

Respectfully submitted,

Russell W. Adams  
Counsel for Plaintiff

OF COUNSEL:

WIGGINS, CHILDS, QUINN & PANTAZIS, LLC



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**CERTIFICATE OF SERVICE**

I DO HEREBY CERTIFY, than on the 25<sup>th</sup> day of June, 2007, a copy of the foregoing was electronically filed with Clerk of Court using the CM/ECF system, which will send notification to the following:

Jim R. Ippolito  
Andrew Redd  
Mitchell Alton, III,  
Alabama Department of Transportation  
1409 Coliseum Boulevard  
Montgomery, Alabama 36110

Russell W. Adams  
Counsel for the Plaintiff